

**Statement of  
Luke Johnson, Deputy Director  
Bureau of Land Management  
Before the Senate Energy & Natural Resources Committee  
Subcommittee on Public Lands and Forests  
H.R. 523, Douglas County, Washington, PUD Conveyance Act  
February 27, 2008**

Thank you for the opportunity to testify on H.R. 523. This legislation directs the Secretary of the Interior to convey certain public lands located wholly or partially within the boundaries of the Wells Dam Hydroelectric Project [Federal Energy Regulatory Commission Project No. 2149-19795] (Project) to Public Utility District No. 1 of Douglas County, WA (PUD). The Bureau of Land Management (BLM) supports this conveyance. During consideration of H.R. 523 by the House Committee on Natural Resources in the 1st session of this Congress, the BLM raised several concerns. These were resolved to our satisfaction in the legislation passed by the House of Representatives on October 22, 2007, and referred to the Senate. The BLM therefore supports H.R. 523.

Since 1998, the PUD has expressed a strong desire to purchase all BLM-managed public lands within the Project boundaries. Some of the public lands the PUD wishes to acquire are located within the boundaries of the Project. These were reserved for power site purposes by order of the Federal Power Commission (FPC Order dated July 12, 1962, for Power Project No. 2149). Also, the PUD has requested some public lands that lie outside (but contiguous to) the designated project boundary. The PUD's 50-year license for the project expires on May 31, 2012. Its application for relicensing must be filed with the Federal Energy Regulatory Commission (FERC) by 2010. The BLM, with management responsibilities for land located within Project boundaries, is in the initial stages of preparing to participate in the section 4(e) [Federal Power Act, 16 U.S.C. 797(e)] relicensing process.

In testimony on H.R. 523 before the House Natural Resources Subcommittee on National Parks, Public Lands, and Forests (May 10, 2007), the BLM raised two concerns. The Subcommittee subsequently adopted an amendment in the nature of a substitute that addressed our concerns, as follows:

- Resource safeguards. BLM had encouraged the sponsor and the Subcommittee to provide safeguards to protect the known resource values on these lands, which include Bald Eagle roosts and approximately two miles of Columbia River shoreline currently open to the public. The amendment adopted by the Subcommittee added assures this protection will be provided through the relicensing process. The amendment added a new "Retained Authority" provision under which the Secretary of the Interior's role and participation in the relicensing action for the PUD is preserved even though the Federal government would no longer own land within the Project boundary. The BLM does not object to Section 5; as noted previously, we are already in the initial stages of preparing for the relicensing process and will fulfill that obligation.
- Disposition of Funds. BLM recommended that Section 3(f) of the legislation be amended to direct that the proceeds from the sales be deposited in the "Federal Land Disposal Account" established by P.L.106-248, the Federal Land Transaction Facilitation Act (FLTFA). This recommendation was adopted.

Thank you for the opportunity to testify. I will be glad to answer questions.